

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Beverly C. Mebane,)	
)	
Plaintiff,)	
)	
v.)	07 C 939
)	
Ready-Pac Produce, Inc.,)	
)	
Defendant.)	

MEMORANDUM ORDER

Beverly Mebane ("Mebane"), acting through her counsel, has filed a multicount Complaint against Ready-Pac Produce, Inc. ("Ready-Pac"). Although this Court is contemporaneously issuing its customary initial scheduling order, this memorandum order is issued sua sponte because of a potential problem that appears on the face of Mebane's Complaint.

Complaint Ex. A is a photocopy of EEOC's right-to-sue letter showing a November 16, 2006 mailing date. But the Complaint says nothing about the date on which Mebane or her counsel received that communication, and this action was not filed until February 16, 2007, 92 days after the date of the EEOC letter.

It is of course critical to determine whether suit was brought within the 90-day period specified by law (and expressly adverted to -- indeed, emphasized) in the right-to-sue letter itself. Accordingly Mebane's counsel is ordered to file a brief

amendment to the Complaint on or before March 2, 2007 identifying the date of receipt of the right-to-sue letter.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

February 22, 2007